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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/691,257

**Applicant(s)**

THOMPSON ET AL.

**Examiner**

BIJENDRA K. SHRESTHA

**Art Unit**

3691

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 September 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3,5 and 7-39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,5 and 7-39 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/S508)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. This Non-Final Office action is in response to the response filed on September 3, 2009. Claims 1-3, 5 and 7-39 are pending. Examiner notes that Applicant has not amended any claim even though applicant mentioned so in the remarks/arguments submitted with the request for continued examination.

#### ***Continued Examination Under 37 CFR 1.114***

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 09/03/2009 has been entered.

#### ***Double Patenting***

3. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

Claims 1-3, ,5 and 7-39 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1, 5, 7-39 of copending

Application No. 10/691,227. Although the conflicting claims are not identical, they are not patentably distinct from each other because '227 application (investment underlying one or more options for two or more intervals) in claims 1, 5, 7-39 teach all the elements in claims 1-3, ,5 and 7-39 in the instant application (currency pairs for two or more time intervals).

This is a provisional double patenting rejection since the conflicting claims have not yet been patented.

As per claims 1 and 25 of instant application, claims 1 and 25 of '227 application teaches obtaining market information for two or more time intervals, calculating an opening and closing value trend using a market trend indicator and the opening and closing values and displaying a visual indicator comparing the opening value trend to the closing value trend.

As per claim 39 of instant application, claims 39 of '227 application teaches apparatus for determining and displaying trading trends comprising a computer communicably connected to a market information source; a display communicably connected to the computer and obtaining market information for two or more time intervals, calculating an opening and closing value trend using a market trend indicator and the opening and closing values and displaying a visual indicator comparing the opening value trend to the closing value trend.

***Claim Rejections - 35 USC § 101***

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claims 1-3, 5 and 7-24 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Regarding claim 1, it appears that the claimed method steps could simply be performed by mental process alone and are not statutory. These claims are directed towards steps of "obtaining market information.....", "calculating a first opening .....", "calculating a first closing....", "displaying a first visual....", and "displaying a second visual....." without including another machine. Since the claims are directed to a process without including another machine, these claims fall within the scope of human intelligence alone, and are non-statutory. The dependent claims 2-3, 5 and 7-24 which depend upon independent claim 1 are evidently rejected under 35 U.S.C. 101.

Based on Supreme Court precedent and recent Federal Circuit decisions, a 35 U.S.C § 101 process must (1) be tied to a particular machine or (2) transform underlying subject matter (such as an article or materials) to a different state or thing. In *re Bilski et al*, 88 USPQ 2d 1385 CAFC (2008); *Diamond v. Diehr*, 450 U.S. 175, 184 (1981); *Parker v. Flook*, 437 U.S. 584, 588 n.9 (1978); *Gottschalk v. Benson*, 409 U.S. 63, 70 (1972); *Cochrane v. Deener*, 94 U.S. 780,787-88 (1876).

An example of a method claim that would not qualify as a statutory process would be a claim that recited purely mental steps. Thus, to qualify as a § 101 statutory process, the claim should positively recite the particular machine to which it is tied, for example by identifying the apparatus that accomplishes the method steps, or positively

recite the subject matter that is being transformed, for example by identifying the material that is being changed to a different state.

Here, Applicant's method steps are not tied to a particular machine and do not perform a transformation. Thus, the claims are non-statutory.

The mere recitation of the machine in the preamble with an absence of a machine in the body of the claim fails to make the claim statutory under 35 USC 101. *Note the Board of Patent Appeals Informative Opinion Ex parte Langemyer et al.*

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. *Claim1-3, 5, 7-14, 17-30 and 33-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over of Li et al., U.S. Patent No. 7043,449 (reference A in attached PTO-892) in view of Olsen et al., U.S. Pub. No. 2007/0078755 (reference B in attached PTO-892).*

3. As per claim 1, Li et al. teach a method for determining and displaying trading trends comprising

obtaining market information for a specified financial market traded instrument (currency pair) for a time period (see Fig. 3, Data Request (145) and Fetched Data

(150) to and from Data Interface (120); column 6, lines 4-23; where market information on specified financial instrument is obtained from Dynamic Data Exchange3), wherein the market information comprises at least

(a) a first set of market data for the currency pair based on a series of consecutive first time intervals within the time period comprising a first opening value and a first closing value for each consecutive first time interval, (see Fig. 6A/B; where market data include opening and closing value based on series of interval of 30 min)

(b) a second set of market data for the currency pair based on a series of consecutive second time intervals within the time period comprising a second opening value and a second closing value for each consecutive second time interval and (c) the first interval is not equal to the second interval (see Fig. 4; column 6, lines 58-61; where user request include time frame (second time interval) of requested chart such as daily, weekly or hourly and output is presented as shown in Fig. 2).

calculating a first opening value trend for the first time intervals using a market trend indicator and the first opening values for the currency pair and a second opening value trend for the second time intervals using the market trend indicator and the second opening values for the currency pair; calculating a first closing value trend for the first time intervals using the market trend indicator and the first closing values for the currency pair and a second closing value trend for the second time intervals using the market trend indicator and the second closing values for the currency pair (see Fig. 2A; column 2, lines 37-67; Fig. 4, step 165; column 7, lines 2-21;9 where opening value and

closing value trend is calculated and the rectangle enclosing open and close value is hollow or filled depending upon the close price is higher or lower than the open price) ;

displaying a first visual favorable / unfavorable trade indicator for the first time intervals based on a comparison of the first opening value trend to the first closing value trend for the currency pair, wherein the first visual favorable/unfavorable trade indicator is a first color whenever the first closing value trend is greater than the first opening value trend and the first visual favorable /unfavorable trade indicator is a second color whenever the first closing value trend is lower than the first opening value trend (see Fig. 3, Fetched Chart (135) to End User Interface (130); where Chart is fetched to User Interface with visual indicator showing and the rectangle enclosing open and close value "Hollow" and "Filled" depending upon whether closing price is lower or higher than opening price as displayed in Fig. 2A for Day 1 and Day 2)

displaying a second visual favorable /unfavorable trade indicator for the second time intervals based on a comparison of the second opening value trend to the second closing value trend for the currency pair, wherein the second visual favorable /unfavorable trade indicator is the first color whenever the second closing value trend is greater than the second opening value trend and the second visual favorable / unfavorable trade indicator is the second color whenever the second closing value trend is lower than the second opening value trend (see Fig. 3, Fetched Chart (135) to End User Interface (130); where Chart is fetched to User Interface with visual indicator showing and the rectangle enclosing open and close value "Hollow" and "Filled"



depending upon whether closing price is lower or higher than opening price as displayed in Fig. 2A for Day 3 and Day 4)

Li et al. do not teach obtaining market information for a currency pair for first and second interval where first interval is not equal to second interval.

Olsen et al. teach obtaining market information for a currency pair for first and second interval where first interval is not equal to second interval (Olsen et al., Figs, 2, 5 and 12; paragraphs [0154, 0158 and 0159]; where currency pair and time interval for graphical display are selectable by the user)

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time the invention was made to include obtaining market information for a currency pair for first and second interval where first interval is not equal to second interval of Li et al. because Olsen et al. teach including above feature would enable to display continuously updated real time currency exchange rates based on granularity selected by the user (Olsen et al., paragraph [0011] and [0158])

4. As per claim 2, Li et al. in view of Olsen et al. teach claim 1 as described above. Li et al. further teach the method wherein

the opening value is an opening price and the closing value is a closing price (see Fig. 1A/B; column 2, lines39-41).

5. As per claim 3, Li et al. in view of Olsen et al. teach claim1 as described above. Li et al. further teach the method wherein

the opening value is an opening trading volume and the closing value is a closing volume (see Fig. 4; where user request chart and data is retrieved accordingly to display the chart; Examiner notes displayed chart would be obtained by similar steps).

6. As per claims 5 and 7, Li et al. in view of Olsen et al. teach claim 1 as described above. Li et al. further teach the method wherein

the first color is green; and the second color is red (see Fig. 2A; where indicators are Hollow and Filled; see column 3, lines 33-41; where user are allowed to choose color, geometric shape and size in graphical representation of the chart).

7. As per claim 8, Lin et al. in view of Olsen et al. teach claim 1 as described above. Li et al. further teaches the method wherein

the first visual favorable / unfavorable indicator displays the first time interval and the second visual favorable / unfavorable indicator displays the second time interval (see Fig. 2; where Day 1 chart is represented by Hollow and Day 2 is represented by Filled999).

8. As per claim 9-10, Li et al. in view of Olsen et al. teach claim 1 as described above.

Li et al. further teach the step of displaying the first opening value trend as a first line and the first closing value trend as a second line in a graph; and the step of displaying a list of information about a point selected on either the first line or the second line (see Fig. 2).

9. As per claims 11, Li et al. in view of Olsen et al. teach claim 1 as described above.

Li et al. teach the method wherein the market trend indicator comprises one or more regression algorithms selected from: stochastic, relative strength, directional movement, commodity channel, simple average, exponential average weighted average, 4 MACD (simple), MACD (exponential), momentum/ROC, midrange, William's %R, 5 parabolic stop, volatility stop, trailing stop, high low stop, Bollinger Bands, Keltner Channel, 6 uniform channel, regression channel, swing lines, cycle forecast, on balance volume, overlay 7 chart, point & figure, moving average, moving linear regression, upper envelope, lower 8 envelope, %K, %D, %D slow, %D averaged, %R, RSI, momentum, acceleration, moving 9 average oscillator, moving average momentum, moving average convergence-divergence 10 oscillator, moving average convergence-divergence, MACD signal line, commodity channel 11 index, rate of change in prices, on balance volume variance, standard deviation, volatility 12 ratio, volatility, skew, kurtosis, Williams Accumulated Distribution, Arm's Ease of 13 Movement, plus directional indicator, minus directional indicator, directional movement and 14 average directional movement (see Fig. 2; where market indicator comprises hollow or Filled depending upon whether closing value is lower or higher than opening value).

10. As per claim 12, Li et al. in view of Olsen et al. teach claim 1 as described above. Li et al. further teach the method wherein

the first opening value trend is calculated without using the first opening value from the most recent first time interval within the time period (see Fig. 2; where opening value for Day 1 is calculated without using other value).

11. As per claim 13, Li et al. in view of Olsen et al. teach claim 1 as described above. Li et al. further teach the method wherein

selecting a market information source (see Fig. 3, Data Vendors (125); column 6, lines 4-23; where market information source is either Data Interface (120) or Dynamic data exchange); and Fig.

communicably connecting to the market information source (see Fig. 4, Data request (145) and Fetched Data (150)).

12. As per claim 14 and 17, Li et al. in view of Olsen et al. teach claim 1 as described above.

Li et al. do not teach the step of executing a trade involving one of the currency pairs; and the step of searching for one or more investment trading opportunities based on one or more search criteria.

Olsen et al. teach the step of executing a trade involving one of the currency pairs (Olsen et al., Fig. 16); and the step of searching for one or more investment trading opportunities based on one or more search criteria (Olsen et al., Fig. 13 and 15).

Therefore, it would be prima facie obvious to two of ordinary skill in the art at the time the invention was made to include the step of executing a trade involving one of the currency pairs; and the step of searching for one or more investment trading opportunities based on one or more search criteria of Li et al. because Loh et al. (reference E in attached PTO-892) teach including above feature would enable customer to place an order on the currency pair whereby order is matched against the

posted rates, a match resulting in a trade, and a non-match resulting in a posting of the order (Loh et al., paragraph [0017]).

13. As per claim 18-19, Li et al. in view of Olsen et al. teach claim 1 as described above. Li et al. further teach the method wherein

the step of selecting the first time interval; and the second time interval is a preset time based on a user profile (see column 6, lines 58-60; where user sets time frame such as daily, weekly, or hourly for chart for the financial instruments).

14. As per claims 20, Li et al. in view of Olsen et al. teach claim 1 as described above. Li et al. further teach the method comprising

the step of repeating the steps of obtaining the market information, calculating the opening value trend and the closing value trend, and displaying the visual favorable /unfavorable trade indicator for a set of different time intervals (see Fig. 4, step 180; Fig. 19, step 670; where new bar chart made while updating the existing graph in real-time).

15. As per claim 21, Li et al. in view of Olsen et al. teach claim 1 as described above. Li et al. further teach the method wherein

the set of different time intervals comprises five minutes, ten minutes, fifteen minutes and thirty minutes (see column 6, lines 58-60; where user sets different time frame such as daily, weekly, or hourly for chart for the financial instruments).

16. As per claim 22, Li et al. in view of Olsen et al. teach claim 1 as described above. Li et al. further teach claim 1 as described above. Li et al. further teach the method comprising

the step of repeating the steps of obtaining the market information, calculating the opening value trend and the closing value trend, and displaying the visual favorable /unfavorable trade indicator for one or more other currency pairs (Examiner notes steps need to be repeated for each different time interval such as Days 1-6 displayed in Fig. 2).

17. As per claim 23, Li et al. in view of Olsen et al. teach claim 1 as described above. Li et al. further teach the method wherein

the step of updating the opening values, the closing values, the opening value trend, the closing value trend and the visual favorable /unfavorable trade indicator (see Fig. 4, step 180; Fig. 19, step 670; where new bar chart made while updating the existing graph in real-time).

18. As per claim 24, Li et al. in view of Olsen et al. teach claim 1 as described above. Li et al. further teach the method wherein

the step of signaling a user whenever any of the visual favorable /unfavorable trade indicator change (see Fig. 2; where user receive signal of changing from Hollow to Filled rectangle and vice versa when opening value lower than closing value to opening value higher than closing value as shown in Day 1 to Day 2).

19. As per claim 25, , Li et al. in view of Olsen et al. teach claim 1 as described above.

Li et al. teach a computer program embodied in a computer readable medium for determining and displaying trading trends comprising a code segment for obtaining

market information for specified market instrument for two or more time intervals (see Fig. 3; column 5, lines 27-59; column 3, lines 34-37).

Olsen et al. teach code segment for obtaining market information for a currency pair for first and second interval where first interval is not equal to second interval (see Fig.3) as described in claim 1 described above

20. As per claim 26-27, Li et al. in view of Olsen et al. teach claim 25 as described above. Claim 26-27 is rejected under same rational as claim 9-10 described above.

21. As per claim 28, Li et al. in view of Olsen et al. teach claim 25 as described above. Claim 28 is rejected under same rational as 11 described above.

22. As per claim 29, Li et al. in view of Olsen et al. teach claim 25 as described above. Claim 29 is rejected under same rational as 12 described above.

23. As per claim 30, Li et al. in view of Olsen et al. teach claim 25 as described above. Claim 30 is rejected under same rational as 14 described above.

24. As per claim 33, Li et al. in view of Olsen et al. teach claim 25 as described above. Claim 33 is rejected under same rational as 17 described above.

25. As per claim 34, Li et al. in view of Olsen et al. teach claim 25 as described above. Claim 34 is rejected under same rational as 18 described above.

26. As per claim 35, Li et al. in view of Olsen et al. teach claim 25 as described above. Claim 35 is rejected under same rational as 20 described above.

27. As per claim 36, Li et al. in view of Olsen et al. teach claim 25 as described above. Claim 36 is rejected under same rational as 22 described above.

28. As per claim 37, Li et al. in view of Olsen et al. teach claim 25 as described above. Claim 37 is rejected under same rational as 23 described above.

29. As per claim 38, Li et al. in view of Olsen et al. teach claim 25 as described above. Claim 38 is rejected under same rational as 24 described above.

30. As per claim 39, Li et al. teach an apparatus for determining and displaying trading trends as described in claim 1. Li et al. further teach the apparatus comprising:

a computer communicably connected to a market information source (Fig. 3; where Central Processor (100) communicably connected to Data Interface (120) for receiving market information);

a display communicably connected to the computer (see Fig. 3; where User Interface (130) is communicably connected to the Central Processor (100)); and

the computer obtaining market information for selected financial instruments (one or more currency pairs) for two or more time intervals from the market information source (see Fig. 2)

Li et al. do not teach obtaining market information for a currency pair for first and second interval.

Olsen et al. teach obtaining market information for a currency pair for first and second interval (Olsen et al., Figs. 2, 5 and 12; paragraphs [0154, 0158 and 0159]; where currency pair and time interval for graphical display are selectable by the user)

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to include obtaining market information for a currency pair for first



and second interval of Li et al. because Olsen et al. teach including above feature would enable to display continuously updated real time currency exchange rates based on granularity selected by the user (Olsen et al., paragraph [0011] and [0158]).

31. *Claims 15 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over of Li et al., U.S. Patent No. 7043,449 (reference A in attached PTO-892) in view of Olsen et al., U.S. Pub. No. 2007/0078755 (reference B in attached PTO-892) further in view of Kam et al., U.S. Pub No. 2001/0042037 (reference C in attached PTO-892).*

32. As per claim 15 and 31, Li et al. in view of Olsen et al. teach claim 1 and 25 respectively as described above.

Li et al. does not teach the step of simulating an execution of a trade involving one of the currency pairs.

Kam et al. teach step of simulating an execution of a trade of securities Kam et al., paragraph [0031].

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to include the step of simulating an execution of a trade involving one of the currency pairs of Li et al. because Kam et al. teach including above feature would enable to fill order only when its price occurs in the real market (Kam et al., paragraph [0031]).

33. *Claims 16 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over of Li et al., U.S. Patent No. 7043,449 (reference A in attached PTO-892) in view of*

*Olsen et al.*, U.S. Pub. No. 2007/0078755 (reference B in attached PTO-892) further in view of *Tsagaraskis et al.*, U.S. Pub No. 2002/0087455 (reference D in attached PTO-892).

34. As per claim 16 and 32, Li et al. in view of Olsen et al. teach claim 1 and 25 respectively as described above.

Li et al. does not teach step of calculating a potential tax liability for an execution of a trade involving one of the currency pairs.

Tsagaraskis et al. teach the step of calculating a tax liability for an execution of a trade involving one of the foreign exchange transactions (Tsagaraskis et al., abstract; paragraph [0048]).

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to include the step of calculating a tax liability for an execution of a trade involving one of the foreign exchange transaction of Li et al. because Tsagaraskis et al. teach including above feature would enable to report other fees or charges from the executing broker (Tsagaraskis et al., paragraph [0048]).

### ***Conclusion***

35. The prior art made of record and not relied upon is considered pertinent to applicant's disclosures. Applicant is required under 37 CFR 1.111(c) to consider references fully when responding to this action. The following are pertinent to current invention, though not relied upon:

Bay et al. (U.S. Patent No. 5,347,452) teach method for providing visual display of current trading volume and cumulative average.

Boesch et al. (U.S. Patent No. 5,897,621) teach system and method for multi-currency transactions.

B.C. et al. (U.S. Pub No. 2002/0069152) teach day trading system.

Erdmier, L. (U.S. Pub No. 2002/0194114) teaches multi-dimensional representation of financial data.

Glodjo et al. (U.S. Patent No. 7,130,789) teach global electronic trading system.

Greenwood (U.S. Pub No. 2002/0156722) teaches automated securities trading system.

Impink, Jr. (U.S. Patent No. 6,211,880) teaches Display apparatus.

Katayama (U.S. Patent No. 6,897,867) teach information comparison display apparatus using colors and a method thereof.

Kay et al. (U.S. Patent No. 6,882,985) teach marketplace system fees enhancing market share and participation.

Khemlani (U.S. Patent No. 6,772,146) teaches website for financial information.

Lozman (U.S. Patent No. 5,689,651) teaches system for processing and displaying financial information.

Picciolo (U.S. Patent No. 7,194,434) teaches method for predictive determination of financial investment performance).

Scheirer, L. (U.S. Pub No. 2001/0056398) teaches method of delivering foreign exchange risk management advisory solutions.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bijendra K. Shrestha whose telephone number is (571)270-1374. The examiner can normally be reached on 7:00AM-4:30 PM (Monday-Friday); 2nd Friday OFF.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on (571)272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Bijendra K. Shrestha/  
Examiner, Art Unit 3691  
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